

REMARKS*Prosecution History of Claim 13*

A response to a restriction requirement was filed with the Patent and Trademark Office (PTO) on October 4, 2006; claim 13 was amended.

A response to a non-final Office action was filed with the PTO on May 15, 2007; claim 13 was improperly amended.

A response to a non-compliant amendment was filed with the PTO on October 10, 2007; the text of claim 13 was not changed from the May 15, 2007 response. In claims 1 and 29, typographical errors that arose from a formatting error during the conversion and subsequent electronic submission of the document were corrected.

Objection by Examiner to Claim 13

The Examiner has pointed out on the Continuation Sheet (PTOL-324) of the current Notice of Non-Compliant Amendment that claim 13, as amended in the response filed May 15, 2007, does not reflect the prior version which was filed with the PTO on October 4, 2006. Thus, the May 15, 2007 amendment was found to be non-compliant.

Applicants have amended claim 13 to reflect the prior version which was filed on October 4, 2006, and to reflect the current claim amendments filed on May 15, 2007. Claim 13 has also been amended to be dependent from claim 1.

This listing of claims will replace all prior versions and listings of claims in this application, and addresses all issues raised by the Office in this and the previous Notice of Non-Compliant Amendment.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of and objections to the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 220022001610. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: February 11, 2008

Respectfully submitted,

Electronic signature: /Brenda J. Wallach/
Brenda J. Wallach

Registration No.: 45,193
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
(858) 720-7961